THE MINISTERIAL COMMITTEE'S RECOMMENDATIONS

FOR A

3-YEAR ACTION PLAN

IN RESPONSE

TO THE

TASK FORCE ON SPOUSAL ASSAULT REPORT (MAY, 1985)

These are summary recommendations of the Task Force as they apply to the Territorial and Federal Governments. The page numbers of the Report of the Task Force on Spousal Assault are referenced.

Cost for 1986/87 are included in the main estimates tabled in the Legislative Assembly, February, 1986.

The estimates for future years are being recommended by the Ministerial Committee and will be considered by the Government of the Northwest Territories, but have not yet been approved.

February 1986

RECOMMENDATION	ACTION	DEPARTMENT(S) RESPONSIBLE
AID TO VICTIMS **Information and Education**		
1. Develop, produce (translate where possible) and distribute information/educational and public awareness materials, pamphlets, posters, handbooks, TV and radio spots. Materials are needed for the general public (awareness); spousal assault victims and offenders; community action groups and offenders; community action groups and volunteer workers; councils and schools; nurses, social workers; RCMP and court workers. (See pgs. 17, 54-57, 87.)	The Dept. of Culture & Communications has developed a plan for the implementation of a comprehensive Public Education program consisting of: - Information Kit, - Radio Information Package; - Spousal Assault Drama Project, and, - Newsletter. COSTS: 1986/87: $81,000 1987/88: $79,000 1988/89: $30,000	Cultural & Communications
2. Provide information (posters, pamphlets) on rights of victims of spousal assault and assistance available to them. Be aware of current community resources available (such as safe shelter). (See pgs. 17.)	Health & Welfare Canada, RCMP, Social Services, Justice will be developing pamphlets in conjunction with Culture & Communications as part of the Interagency Referral System. This cost will be absorbed by the Dept. of Social Services.	
3. Collect, catalogue and distribute information available throughout North America on spousal assault for interested northern agencies, etc. (See pg. 58.)	The Women's Secretariat has established a library of resources including material collected by the Task Force, Government and private publications. These materials are catalogued and distributed to libraries or other government departments as appropriate. A central catalogue is maintained by the Secretariat.	Women's Secretariate, GNWT and Public Libraries
4. Ensure that the published materials collected by the Task Force are catalogued and available through the library system. (See pg. 58.)		

RECOMMENDATION	ACTION	DEPARTMENT(S) RESPONSIBLE
AID TO VICTIMS **Information and Education** - Continued		
5. Develop alcohol and drug awareness curriculum and family life curriculum for schools. (See pgs. 41-42, 54)	The Dept. of Education, in conjunction with the Dept. of Health, is currently developing a family life education curriculum for the Northwest Territories schools as part of the entire School Health Program. The Alcohol and Drug Awareness Program is already being piloted in schools across the NWT. Prior to introduction of Family Life Education in the classroom, there will be a teacher orientation program to familiarize teachers with sensitive materials as well as public information sessions, and pilot teaching projects to refine and adapt materials as necessary. (See Recommendation 16)	Health Education
Medical Attention		
6. That apparent victims of spousal assault be given immediate medical attention. (See pg. 18.)	As specified in the Interagency Referral System/Protocol, victims of spousal assault will be taken immediately to the hospital or nursing station for medical attention prior to the initiation of any other action. Anticipated costs of implementing the Interagency Referral System/Protocol are minimal and are already within Social Services O & M.	Health & Welfare Canada

RECOMMENDATION	ACTION	DEPARTMENT(S) RESPONSIBLE
AID TO VICTIMS		
Access to Other Assistance		
7. Lead the development of a coordinated inter-agency referral system, and include alcohol and drug workers. (See pgs. 40-41.) 8. Participate in an interagency approach to assist victims of spousal assault. (See pgs. 19, 39, 54.)	Initiated by the Department of Social Services an Interagency Referral System has been established and agreed to by RCMP, Health & Welfare canada and Territorial Departments of Health and Social Services.	Social Services, Health & Welfare Canada, RCMP
9. Review requirements for social assistance and exercise flexibility and lenience for victims and families in transition. Provide social assistance for victims and families in transition. (See pg. 33) 10. Fund transportation costs of victims to shelters and day-care costs, where necessary. (See pgs. 20, 33)	Spousal assault victims and their families currently can obtain client assistance under the Social Assistance Program. Revised regulations ensure that this will be done automatically if the family is in crisis. Transportation is provided as part of this assistance if temporary relocation is required.	Social Services
Shelter and Protection		
11. Assist victims in finding immediate safe shelter where needed. (See Pg. 20)	The RCMP is prepared to comply with this approach. This will be done through the Policy Centre of the Officer in Charge, Criminal Investigation Branch, Northwest Territories.	RCMP
12. Give spousal assault victims priority for housing and day-care, where required. (See Pg. 21)	Rental housing under the northern, rental and public housing programs is generally not available for emergency use such as transition housing. Housing, however, could be released for such use on a permanent basis.	Social Services, NWTHC

RECOMMENDATION	ACTION	DEPARTMENT(S) RESPONSIBLE
AID TO VICTIMS **Shelter and Protection** - Continued		
	The NWT Housing Corporation will approve the rental of a larger house to a family (over accommodate them) sponsored by the Department of Social Services or an approved society to provide transition accommodation in a community. The Department of Social Services will work with the Housing Corporation to assure a co-ordinated response. In Yellowknife, the NWT Housing Corporation is willing to establish a unit at Lanky Court and offer a lease at economic rent. It will also assist in the planning and construction of house(s) if the capital is provided through the Department of Social Services. Housing will be considered on a case-by-case basis.	
13. Provide alternatives for shelter for spousal assault victims. Fund new pilot shelters in communities demonstrating commitment, using existing buildings where possible. (See pgs. 21, 29, 30, 31, 32)	There should be temporary shelter available for spousal assault victims and their families. It is preferable if run by community-based groups to ensure that the shelter meets the communities' needs.	Social Services
14. Fund the operating costs of existing shelters. (Sappujjijit Friendship Centre in Rankin Inlet, Katimavik Centre in Cambridge Bay, YWCA in Yellowknife and the Crisis centre in Fort Smith.) (See pg. 31)	Social Services is developing a departmental policy which will look at various shelter options including funding existing shelters, setting up new shelters and paying families to provide shelters.	

RECOMMENDATION AID TO VICTIMS **Shelter and Protection** - Continued	ACTION	DEPARTMENT(S) RESPONSIBLE
	Social Services will ensure that counselling services are provided. "Safe Homes" will be identified in all communities providing a single room in communities with populations under 500 and two rooms in communities with populations over 500. A retainer of $900/year would be paid with a per diem rate of $30 and an estimated occupancy rate of 25 percent. "Transition Houses" in the major centres will also be required. Projected Costs (Approximate): 1986/87: $1,200,000 1987/88: $1,100,000	
15. Continue to provide physical protection to victims, consider all complaints as serious and advise victims that batterers should be prosecuted. (See pgs. 19, 20)	The RCMP is prepared to comply with this approach. This will be done through the Policy Centre of the Officer in Charge, Criminal Investigation Branch, Northwest Territories.	RCMP
Counselling		
16. Provide for professional family life counsellors to support and advise nurses, social workers, court workers, RCMP, community groups, volunteers and lay counsellors, victims and their families and offenders. (See pgs. 18, 37)	The Department currently employs a Coordinator of Family Life Education who acts in a consulting/advisory capacity to all groups/departments wishing information on family life topics.	Health

RECOMMENDATION AID TO VICTIMS Counselling - continued	ACTION	DEPARTMENT(S) RESPONSIBLE
	Three additional Family Life consultants would report to the Coordinator, and provide regional coverage at a community level to increase knowledge and skills of both public and professionals trying to assist and support victims of violence. Human sexuality, communication skills, parenting, decision-making and values identification instruction provide the key to healthy lifestyles and responsibility - the basis of family violence prevention. Sensitivity to and awareness of cultural concerns will be central to the effectiveness of this program. Two years of intensive education by these consultants should provide a firm community base for continued action against family violence. COSTS: 1986/87: $225,000 1987-88: $225,000 Future needs to be evaluated.	
17. Provide for crisis lines in conjunction with NWTel on a regional community basis. Fund space, telephone installation, rental and long distance charges. (Line to be operated by trained volunteers.) (See pgs. 22, 26)	Crisis lines are not recommended. This would represent a duplication of services provided by the Mental Health Association and has not proven effective. Information will be provided by the Women's Secretariat regarding Federal grants which may be available to individual communities or regions requiring such a service.	Social Services, Health

RECOMMENDATION	ACTION	DEPARTMENT(S) RESPONSIBLE
AID TO VICTIMS		
Counselling - Continued		
18. Extend counselling to victims provided by professionals by telephone. (See pg. 24)	However, a 24 hour emergency telephone number in each community is being provided and included in the Public Information Newsletter.	
Direction & Assistance to Community Agencies		
19. Foster development of community action groups, volunteers to support victim, and development of lay counsellors involving respected elders of communities. (See pgs. 18, 22, 25-27, 34, 54-55)	Solutions to the spousal assault problem must be community-based, taking advantage of the resources already in the community. Social Services will act in an advisory capacity and will take the initiative in forming community-based groups. Contribution funding should be made available through Social Services. COSTS: 1986/87: $155,000 1987/88: $155,000 1988/89: $155,000	Social Services,
Treatment and Assistance for Batterers		
20. Review legal aid plan to permit legal aid defence counsel to assist clients (batterers) get treatment and counselling. (See pg. 35)	Legal Aid will ensure that lawyers are made aware of counselling and treatment services for batterers. It is assumed defence counsel will recommend these services to clients.	Justice

RECOMMENDATION	ACTION	DEPARTMENT(S) RESPONSIBLE
AID TO VICTIMS **Treatment and Assistance for Batterers** - Continued		
21. Assess needs of convicted batterers for rehabilitation. Provide anger control therapy and counselling services. Consider mandatory anger control therapy as a sentencing option. (See pgs. 35, 49)	It is necessary to determine whether being convicted is enough of a deterrent for the batterer or if there is a need for further rehabilitation outside of the correctional facility. A pilot project examining this and the effectiveness of anger control therapy will be conducted. COSTS: 1986/87: $150,000 1987/88: $100,000* 1988/89: $100,000* * Costs are estimates and will be more readily determined on completion of assessment project in 1986/87.	Social Services
Direction & Support for Government Agents **Social Workers**		
22. Develop departmental policy and procedures for providing services to spousal assault victims and families, ensuring coordination with other agencies involved. (See Pgs. 37, 38)	The Department of Social Services is developing departmental policy and procedures with regard to spousal assault to ensure that victims and families receive a consistent level of assistance across the Northwest Territories. Part of this consistency involves being aware of and coordinating with other agencies in each community.	Social Services
23. Clarify social workers' duties and responsibilities under present law, and develop in-service training workshops to prepare workers for spousal assault cases. (See pgs. 26, 36, 39-40)		

RECOMMENDATION	ACTION	DEPARTMENT(S) RESPONSIBLE
AID TO VICTIMS **Direction & Support for Government Agents** **Social Workers** - Continued		
	The protocol outlining the role of social service workers in connection with other agencies has been developed. (See response to recommendations 7&8) COSTS: 1987/87: $125,000 1987/88: $140,000* 1988/89: $ 90,000* * Preliminary Estimates	
24. Enhance Social Worker Program at Thebacha College to include training in family violence cases. (See pg. 26)	This matter has been addressed and will be followed up with further recommendations to the Board of Governers of Thebacha College. The Department of Education indicates that, while the curriculum for the Social Workers Program at Thebacha College does not have a specific course in family violence, many of the courses in the program do deal with family violence. The Department of Health, through the Family Life Educator is also prepared to assist in enhancing the existing program.	Education, Social Services, Health

RECOMMENDATION	ACTION	DEPARTMENT(S)
AID TO VICTIMS		
25. Give priority to native social workers who apply for education leave or assistance to improve their qualifications. (See pg. 36)	This matter is being referred to the Interdepartmental Staff Development Committee. Native social workers do currently receive first priority in receiving educational leave.	Education
Medical Care Professionals		
26. Develop procedures and protocols for the gathering and preservation of spousal assault evidence. (See pgs. 51, 53)	The Medical Services Branch of Health and Welfare Canada is willing to follow this recommendation if the funds can be found. The recommendation will involve participation by field staff as well as cooperation with the Department of Health in order to create procedures and protocols which can be applied across the Northwest Territories.	Health & Welfare
Agents of the Law Judges/Prosecutors		
27. That the Commissioner of the NWT and the Federal Minister of Justice consider appointment of women to judicial office and assignment of women to positions as crown attorneys. (See pg. 47)	There are currently 3 (of 7) female prosecutors.	Justice Canada, Commissioner of the NWT

RECOMMENDATION	ACTION	DEPARTMENT(S) RESPONSIBLE
AID TO VICTIMS **Agents of the Law** **Judges/Prosecutors** - Continued		
28. When dealing with applications for peace bonds, bail review and sentencing of batterers, note the right of victims to remain in their own homes and communities. (See pg. 21)	Judges may order a batterer not to communicate or harass a victim by issuing a restraining order. The batterer is in civil contempt if he/she does not abide by this order, however, there may be no RCMP in the community to enforce the order and the batterer's spouse may allow the offender back in the house. Community agencies/social workers will ensure that victims are informed of their rights and told that if their spouse has been issued a restraining order he/she does not have to be allowed back into the home. They will also help the victim develop an escape plan where the batterer ignores the order.	Justice Canada
29. Hold judicial interim release hearings in appropriate spousal assault cases. (See pg. 45) 30. Consider whether sentences act as a general deterrent to the public or a specific deterrent to the individual. (See pg. 48)	As the public/government cannot be seen to be influencing the decision of judges, these matters must be left to the discretion of the judiciary.	Justice Canada
31. Allow prosecutors and judges to spend more time in communities. (See pg. 34)	This is currently being done within the limitations of the resources of the Federal Government.	Justice Canada
32. Ensure that crown prosecutors have been trained for spousal assault cases and that they	To the extent possible this is presently done; Crown Prosecutors do	Justice Canada

RECOMMENDATION	ACTION	DEPARTMENT(S) RESPONSIBLE
AID TO VICTIMS **Agents of the Law** **Court Workers** - Continued		
consult with professionals and community when determining whether to lay a charge in a spousal assault case and that, where prosecutors have special interests and aptitudes, spousal assault cases be assigned to them. (See pgs. 46, 47)	attend training seminars. However, with the current demands on the system specific prosecutors cannot normally be designated for spousal assault cases.	
33. Provide training for prosecutors in the NWT.		
Court Workers		
34. Provide for professional or lay advocates to advise victims and provide support during court proceedings. (See pgs. 27, 48)	Under existing law the victims advocate is the prosecutor. In civil matters, Legal Aid provides lawyers for restraining orders, maintenance and division of property. Information for victims will be available through community agencies and professionals.	Justice
Justice & Public Services		
35. Provide for courtworkers to respond to victims' enquiries and consider enhancing duties of courtworkers to include acting as an intermediary and advocate for victims. (See pg. 27)	The current role of court workers is to assist in the advocacy process. They provide a referral service but do not act as social workers/counsellors.	Justice

RECOMMENDATION	ACTION	DEPARTMENT(S) RESPONSIBLE
AID TO VICTIMS **Agents of the Law** **Justice & Public Services** - Continued	The Department of Justice and Public Services will encourage the preservation of the current role of court-worker.	
36. Review legislation and prepare a draft ordinance on spousal assault. (See pg. 28)	In Canada, assault is considered an offence under the Federal Criminal Code and is not within the jurisdiction of the Northwest Territories. Therefore, there is no initiative at present for Justice to prepare legislation dealing directly with spousal assault. The Department of Justice is reviewing legislation on family law. Issues being considered include: (a) property sharing and division of property upon marriage breakdown; (b) spousal support obligations; (c) child support obligations; (d) restraining orders to prevent asset waste; (e) restraining orders to prevent harassment; (f) provisions for exclusive possession of a matrimonial home in certain circumstances; (g) separation agreements.	Justice

RECOMMENDATION	ACTION	DEPARTMENT(S) RESPONSIBLE
AID TO VICTIMS **Justice and Public Services** - Continued		
37. Review and consider amending Mental Health Ordinance (through consultation) to permit batterers with suspected psychological problems to be committed for mental examination. (See pg. 52).	There needs to be some mechanism to allow batterers with suspected psychological problems to be committed for mental examination, both for the protection of themselves and their victims and families. The Mental Health Act was amended at the 1985 second session of the Legislative Assembly. This recommendation was considered before the Act was passed. Although there is no specific provision dealing with batterers, the Department of Health believes that the provisions for non-voluntary committal are sufficient to include a perpetrator of spousal assault "with suspected psychological problems". This is justifiable only when a person is in a state to be a danger to himself or to others. Under any other circumstances, the deprivation of personal liberty under involuntary committal would constitute an infringement on that person's liberty and civil rights under the Charter of Rights.	Justice, Health

RECOMMENDATION	ACTION	DEPARTMENT(S) RESPONSIBLE
AID TO VICTIMS **Justice & Public Services** - Continued		
	The Department of Justice supports this position.	
RCMP		
38. That the Commissioner of the RCMP consider assignment of women to "G" Division postings in the RCMP. (See pg. 47)	Women members of the RCMP have been, and are, serving in the Northwest Territories.	RCMP
39. Explore diversion for batterers who might otherwise be prosecuted in courts where appropriate. (See pg. 45)	The Minister of Justice Canada has ordered that charges be laid by the police if there is sufficient evidence to support such charges. RCMP policy states in part "lay a charge when you have reasonable and probable grounds to believe an assault has occurred".	RCMP
40. Review the policy allowing RCMP to lay charges in spousal assault cases and continue to lay charges in as many cases as possible. (See pg. 44)	Diversion as an alternative may be explored at the discretion of the Judge.	
41. Consult with other professionals in community in spousal assault cases. (See pg. 46).	The RCMP have agreed to this recommendation and support the Interagency Referral System.	RCMP

RECOMMENDATION	ACTION	DEPARTMENT(S) RESPONSIBLE
AID TO VICTIMS **RCMP** - Continued		
42. Provide special training to recruits and In-Service training on spousal assault investigation and case preparation. (See pg. 46).	Training for recruits in domestic disputes/violence/child abuse has been on-going in the Training Academy in Regina since the mid-1970's. Some of this training takes the form of professional actors from Regina Globe Theatre Productions creating and acting out different types of domestic encounters.	RCMP
43. Take statements from household members witnessing spousal assault. (See pg. 44)	Investigations into complaints of assault are conducted and charges are to be laid according to RCMP policy when supported by evidence, which includes statements from household members.	RCMP

TOTAL FINANCIAL IMPLICATIONS

ISSUE PAPER	1986/87	1987/88	1988/89	TOTAL
#1 - Public Information	81,000	79,000	30,000	190,000
#2 - Family Life Education	225,000	225,000	0	450,000
#3 - Interagency Referral System	0	0	0	0
#4 - Safe Shelters	1,200,000	1,100,000	0	*2,300,000
#5 - Community Action Groups	155,000	155,000	155,000	465,000
#6 - Counselling for Batterers	150,000	100,000	100,000	* 350,000
#7 - Social Services Policy/ Program Development	125,000	140,000	90,000	* 355,000
	1,936,000	1,799,000	375,000	4,110,000

* These items were 50/50 cost-shareable under the Canada Assistance Plan (CAP), Health & Welfare Canada, except for capital. Capital is not cost-shared by the Federal Government.

This is a summary version of the 3-Year Action Plan - "CHOICES." More detail will be made available to the public at a later date.